



Entered on Docket
July 21, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES, LLC,
aka "Rhodes Homes," et al.,¹

Debtors.

Case No.: 09-14814-LBR
(Jointly Administered)

Chapter 11

**ORDER UNDER BANKRUPTCY CODE
SECTION 365(D)(4) EXTENDING TIME
WITHIN WHICH DEBTORS MAY ASSUME OR
REJECT UNEXPIRED LEASES OF
NONRESIDENTIAL REAL PROPERTY [RE:
DOCKET NO. 264]**

Affects:

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All Debtors
Affects the following Debtor(s)

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings,

Upon the motion, dated June 22, 2009 (the "Motion"), of The Rhodes Companies, LLC and certain of its affiliates, as debtors and debtors in possession (collectively, the "Debtors"), for entry of an order (the "Order") pursuant to section 365(d)(4) of title 11 of the United States Code (the "Bankruptcy Code") for an extension of the period within which the Debtors may assume or reject their unexpired leases of real property (the "Leases"); and the Court having found that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors and other parties in interest; and the Debtors having provided appropriate notice of the Motion and the opportunity to be heard on the Motion, and that no other or further notice is required; and the Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before the Court (the "Hearing"); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefore, it is HEREBY ORDERED THAT:

1. The Motion is granted.

2. The time within which the Debtors must assume or reject the Leases, pursuant to section 365(d)(4) of the Bankruptcy Code, is hereby extended an additional 90 days, through and including October 27, 2009, or through the date of entry of an order confirming a plan in these cases, whichever is earlier.

3. Nothing contained herein shall be deemed to authorize the assumption or rejection of any of the Leases.

Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20 LLC (Case No. 09-14848); Tuscany Acquisitions IV LLC (Case No. 09-14849); Tuscany Acquisitions III LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, LLC (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 4. The extension granted in this Order is without prejudice to the Debtors' right to seek
2 further extension(s) of their time to assume or reject some or all of the Leases.

3 5. All time periods set forth in this Order shall be calculated in accordance with Rule
4 9006(a) of the Federal Rules of Bankruptcy Procedure.

5 6. The Debtors are authorized to take all actions necessary to effectuate the relief
6 granted pursuant to this Order in accordance with the Motion.

7 7. Notwithstanding the possible applicability of Rules 6004(h), 7062, and 9014 of the
8 Federal Rules of Bankruptcy Procedure or otherwise, the terms and conditions of this Order shall be
9 immediately effective and enforceable upon its entry.

10 8. The Court retains jurisdiction with respect to all matters arising from or related to the
11 implementation, interpretation and enforcement of this Order.

12 DATED this ____ day of July 2009.

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14 Submitted by:

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16

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1 APPROVED / ~~DISAPPROVED~~

2 SARA L. KISTLER,
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